

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
<b>LOWENSTEIN SANDLER PC</b> BRUCE BUECHLER (BB 0324) MICHAEL S. ETKIN (ME 0570) 65 Livingston Avenue Roseland, NJ 07068 973-597-2500 phone 973-597-2400 fax  - and -  <b>STROOCK &amp; STROOCK &amp; LAVAN LLP</b> LAWRENCE ROSENTHAL BRIAN COGAN KRISTOPHER HANSEN 180 Maiden Lane New York, NY 10003 212-806-5400 phone 212-806-6006 fax Attorneys for Fuji Photo Film Co., Ltd.	
In re:	
JAZZ PHOTO CORP.,	
	Debtor.

Chapter 11

Case No. 03-26565 (MS)

Hearing Date: Not Applicable

**CONSENT ORDER GRANTING THE DEBTOR AND FUJI PHOTO FILM  
CO., LTD. RELIEF FROM THE AUTOMATIC STAY PURSUANT TO 11  
U.S.C. §362(d)**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby  
**ORDERED.**

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Debtor: Jazz Photo Corp.  
Case No. 03-26565(MS)  
Caption: **Consent Order Granting Fuji Photo Film Co., Ltd. Relief from the Automatic Stay  
Pursuant to 11 U.S.C. § 362(d)**

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**WHEREAS**, on May 20, 2003 (the “Petition Date”), Jazz Photo Corp. (the “Debtor”), filed a voluntary petition for relief under Chapter 11 of the United States Bankruptcy Code (11 U.S.C. §101, et seq.) (the “Bankruptcy Code”); and

**WHEREAS**, pre-petition the Debtor and Fuji Photo Film Co., Ltd. (“Fuji”) were involved in extensive litigation in an action entitled Fuji Photo Film Co., Ltd. v. Jazz Photo Corp., et al., pending in the United States District Court for the District of New Jersey (the “District Court”), Civil Action No. 99-2937 (the “Lawsuit”); and

**WHEREAS**, the District Court has entered a final judgment in the Lawsuit; and

**WHEREAS**, the Debtor has filed an appeal from the District Court’s final judgment to the United States Court of Appeals for the Federal Circuit, and Fuji has filed a cross-appeal; and

**WHEREAS**, the Debtor has indicated that it intends to prosecute its appeal and Fuji intends to prosecute its cross-appeal in the United States Court of Appeals for the Federal Circuit and both seek relief from the automatic stay, imposed by 11 U.S.C. sec. 362(a), to proceed with their respective appellate rights;

**IT IS HEREBY AGREED, CONSENTED TO, ORDERED AND ADJUDGED** as follows:

1. The Debtor be, and hereby is, granted relief from the automatic stay embodied in Bankruptcy Code §362(d), effective as of the entry of this Order, to prosecute its appeal from the Lawsuit in the United States Court of Appeals for the Federal Circuit.

2. Fuji be, and hereby is, granted relief from the automatic stay embodied in Bankruptcy Code § 362(d), effective as of the entry of this Order, to prosecute its cross-appeal from the Lawsuit in the United States Court of Appeals for the Federal Circuit.

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Debtor: Jazz Photo Corp.

Case No. 03-26565(MS)

Caption: **Consent Order Granting Fuji Photo Film Co., Ltd. Relief from the Automatic Stay  
Pursuant to 11 U.S.C. § 362(d)**

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We hereby consent to the form,  
Substance and entry of the within  
Consent Order:

LOWENSTEIN SANDLER PC  
Attorneys for Fuji Photo Film Co., Ltd.

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